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LITIGATION BUREAU

September 14, 2023

**BY ECF**

The Honorable Robert W. Lehrburger  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007

Re: Leckie v. Napoli, No. 21 Civ. 7212 (PGG) (RWL); 19 Civ. 6719 (PGG) (RWL)

Dear Judge Lehrburger:

This Office represents defendants Khondkar Rakib, Tammy Hyatt, and Jordan Laguio ("State Defendants") in the above-referenced matter. The parties submit this letter in accordance with the Court's September 6, 2023 Order directing the parties to meet and confer and provide the Court with a proposed scheduling order for the case up through fact and expert discovery.

Late last week I assumed responsibility for this matter upon former Assistant Attorney General Sarande Dedushi leaving the Office of the Attorney General to assume a new position. It is my understanding that Plaintiff has made a demand and that this action is one that may warrant settlement prior to any additional discovery occurring. Accordingly, after conferring with all counsel, the parties respectfully request that discovery be stayed until November 30, 2023 so that I may have an opportunity to review the file and allow for my Office's and client's settlement review process to take place and if appropriate, for the parties to engage in settlement discussions. If the parties are not able to reach a settlement, the parties respectfully request a deadline of January 31, 2024 to complete fact discovery and March 29, 2024 to complete expert discovery.

Request granted. Discovery stayed until November 30, 2023. Fact discovery shall be completed by January 31, 2024. Expert discovery shall be completed by March 29, 2024. The Court notes that a demand was made several months ago and a short stay granted for purposes of discussing settlement. The parties should use the newly granted time wisely and pursue settlement diligently. The Court will not delay proceedings indefinitely.

Respectfully submitted,

Rebecca Ann Durden

Rebecca Ann Durden  
Assistant Attorney General  
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SO ORDERED:

9/14/2023

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

cc: Counsel of Record (via ECF)